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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

Chapter 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**NOTICE OF HEARING RE
MOTION OF USACM
LIQUIDATING TRUST TO
APPROVE PROOFS OF CLAIM
BASED UPON INVESTMENT IN
THE PLACER II LOAN**

Date of Hearing: July 26, 2011

Time of Hearing: 1:30 p.m.

Estimated Time For Hearing: 10 minutes

NOTICE IS HEREBY GIVEN that the USACM Liquidating Trust, by and through its counsel, has filed a Motion To Approve Proofs of Claim Based Upon Investment in the Placer II Loan [DE 8436], requesting that the Court enter an order allowing the unsecured claims filed by direct lender claimants based upon investment in the Placer II Loan, which claims total \$2,508,322.22. Relief is sought pursuant to 11 U.S.C. § 502 and Bankruptcy Rule 3007. Information regarding the proofs of claim that the USACM Liquidating Trust seeks to allow is provided in **Exhibit A** attached to the Motion.

1 **NOTICE IS FURTHER GIVEN** that the hearing on the Motion will be held
2 before the Honorable Linda B. Riegler, U.S. Bankruptcy Court Judge in the Foley Federal
3 Building, 300 Las Vegas Blvd. South, 3rd Floor, Courtroom No. 1, Las Vegas, Nevada on
4 **July 26, 2011, at the hour of 1:30 p.m.**

5 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON JULY 26,**
6 **2011, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND**
7 **SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE**
8 **HEARD ON THAT DATE.**

9 **NOTICE IS FURTHER GIVEN** that pursuant to Local Rule 9014(d), any
10 response to the objection must be filed and service must be completed no later than
11 **fourteen (14) days** preceding the hearing date. The opposition must set forth all relevant
12 facts and any relevant legal authority.

13 If you object to the relief requested, you *must* file a **WRITTEN** response to this
14 pleading with the Court. You *must* also serve your written response on the person who
15 sent you this notice.

16 If you do not file a written response with the Court, or if you do not serve your
17 written response on the person who sent you this notice, then:

- 18 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
- 19 • The Court may *rule against you* and sustain the objection without formally
20 calling the matter at the hearing.

1 Dated: June 13, 2011.

2 LEWIS AND ROCA LLP

3 By s/ John Hinderaker (AZ 18024)

4 Robert M. Charles, Jr., NV 6593

5 John Hinderaker, AZ 18024 (*pro hac vice*)

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7 Las Vegas, Nevada 89169

8 E-mail: JHinderaker@lrlaw.com

9 *Attorneys for the USACM Liquidating Trust*

10 Copy of the foregoing mailed by First
11 Class postage prepaid U.S. Mail on
12 June 13, 2011 to all parties listed on
13 Exhibit A attached to the objection.

14 LEWIS AND ROCA LLP

15 s/ Matt Burns

16 Matt Burns

17 Lewis and Roca LLP